

**REMARKS****Summary of the Office Action**

Claims 1-4, 6, 8, 9, 18 and 20 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 3,826,246 to Raddi et al. (hereinafter "Raddi").

Claims 28-30 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 4,714,874 to Morris et al. (hereinafter "Morris").

Claims 5, 7, 17, 19, 21 and 27 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Raddi as applied to claims 1 and 18 above, in view of Morris.

Claims 10 and 22 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Raddi as applied to claims 1 and 18 above, in view of U.S. Patent No. 5,685,316 to Schookin et al. (hereinafter "Schookin").

Claims 1, 11-16, 18 and 23-26 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 4,572,207 to Yoshimi et al. (hereinafter "Yoshimi") in view of Raddi.

**Summary of the Response to the Office Action**

Applicants have amended claims 1, 18, and 28 to include the features of claims 7, 21 and 30, respectively. As a result, Applicants have canceled claims 7, 21 and 30 without prejudice or disclaimer. Accordingly, claims 1-6, 8-20 and 22-29 remain pending for consideration.

**Rejections under 35 U.S.C. § 102(e) and 103(a)**

Claims 1-4, 6, 8, 9, 18 and 20 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Raddi. Claims 28-30 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Morris. Claims 5, 7, 17, 19, 21 and 27 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Raddi as applied to claims 1 and 18 above, in view of Morris. Claims 10 and 22 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Raddi as applied to claims 1 and 18 above, in view of Schookin. Claims 1, 11-16, 18 and 23-26 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Yoshimi in view of Raddi. Applicants have amended claims 1, 18 and 28 to include the features of claims 7, 21 and 30, respectively. As a result, Applicants have canceled claims 7, 21 and 30 without prejudice or disclaimer. The rejections of previous claims 7, 21 and 30 are respectfully traversed for at least the following reasons.

Independent claim 1 has been amended to include the features of previous claim 7 so as to now describe a combination of features including a biological information detecting member that includes a material containing at least one of metal oxide, which is transparent and has electrical conductivity, and polymer, which is transparent and has electrical conductivity. Applicants respectfully submit that because the materials containing metal oxide or polymer have electrical conductivity, the electrode-amplifier resistance R can be set to 5 kΩ or less. Moreover, because these materials are transparent, when a conductive resin layer is formed with the materials contained in paint, a color of a member in which the conductive resin layer is formed appears. Thus, the color of the member in which the conductive resin layer is formed and a member around this member, for example, an interior of a vehicle can be matched. Consequently, a design property can be improved compared with the conductive component such

as silver. Similar amendments have been made to independent claims 18 and 28 by incorporating the features of previous claims 21 and 30, respectively. Accordingly, similar arguments as discussed above with regard to newly-amended independent claim 1 also apply to newly-amended independent claims 18 and 28.

Applicants have studied the references cited in the Office Action and have concluded that the material of the biological information detecting member, as described in newly-amended independent claims 1, 18 and 28, is not disclosed in these references.

Accordingly, Applicants respectfully assert that the rejections under 35 U.S.C. §§ 102(b) and 103(a) should be withdrawn because neither Raddi nor Morris, whether taken singly or combined, teach or suggest each feature of independent claims 1, 18 or 28, as amended. As pointed out in MPEP § 2131, "[t]o anticipate a claim, the reference must teach every element of the claim." Thus, "[a] claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. Verdegaal Bros. v. Union Oil Co. Of California, 2 USPQ 2d 1051, 1053 (Fed. Cir. 1987)." Similarly, MPEP § 2143.03 instructs that "[t]o establish prima facie obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. In re Royka, 409 F.2d 981, 180 USPQ 580 (CCPA 1974)." Furthermore, Applicant respectfully asserts that the dependent claims are allowable at least because of their dependence from newly-amended independent claim 1, 18 or 28, and the reasons set forth above. Moreover, Applicant respectfully submits that the additionally applied reference to Schookin, with respect to claims 10 and 22, does not cure the deficiencies discussed above with regard to Raddi. Moreover, Applicant respectfully submits

that the additionally applied reference to Yoshimi, with respect to claims 1, 11-16, 18 and 23-26, does not cure the deficiencies discussed above with regard to Raddi.

### **CONCLUSION**

In view of the foregoing, Applicants submit that the pending claims are in condition for allowance, and respectfully request reconsideration and timely allowance of the pending claims. Should the Examiner feel that there are any issues outstanding after consideration of this response, the Examiner is invited to contact Applicants' undersigned representative to expedite prosecution. A favorable action is awaited.

**EXCEPT** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. § 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account No. 50-0573. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

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